BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

-------- In the Matter of --------)
AMERICAN CROWN WORLD, INC., dba ) DOCKET NO. 2008-0212
ALOHA SIGHTSEEING )

Notice of Failure to Comply )
With Hawaii Revised Statutes )
and Commission’s Regulations; )
Order to Show Cause Why )
Respondent’s Operating )
Authority Should Not Be )
Suspended or Revoked.

DECISION AND ORDER
By this Decision and Order, the commission revokes certificate of public convenience and necessity number 474-C ("Certificate No. 474-C") held by AMERICAN CROWN WORLD, INC., dba ALOHA SIGHTSEEING ("Respondent").

I. Procedural History

By Notice of Violation, Order to Show Cause, and Notice of Hearing ("Notice"), filed on October 14, 2008, the commission ordered Respondent to appear at 465 South King Street, Room B-3, Honolulu, Hawaii 96813, at 9:00 a.m., on November 19, 2008, to show cause why Respondent's Certificate No. 474-C should not be suspended or revoked for failure to file an annual financial report and pay an annual motor carrier gross revenue fee for the year 2007, pursuant to Hawaii Revised Statutes ("HRS") §§ 271-25,
271-36, and Hawaii Administrative Rules ("HAR") §§ 6-62-42(a),
6-62-24(a).¹ In the Notice, the commission notified Respondent
that Certificate No. 474-C would be revoked if it failed to
appear at the scheduled hearing.

On November 19, 2008, Respondent failed to appear
before the commission's hearing officer. As a result, the
hearings officer recommended that the: (1) Respondent be found in
default for failure to appear at the hearing, and
(2) Respondent's Certificate No. 474-C be revoked.

II.

Findings and Conclusions

Based on the entire record, the commission finds that
Respondent's failure to appear at the November 19, 2008 hearing
constitutes a default in accordance with HAR § 6-68-23.

Accordingly, because the commission can assume the facts alleged
in the Notice are true in the event of a default, and such facts
are in violation of the applicable laws, rules, and regulations
noted above, the commission concludes that Respondent's
Certificate No. 474-C should be revoked.

¹The commission notified Respondent of the November 19, 2008
hearing by serving the Notice upon Respondent by certified mail,
return receipt requested, at Respondent's last known address.
Pursuant to HAR § 6-61-21, service is deemed complete upon
properly stamping, addressing, and mailing the order to
Respondent's last known address, or to Respondent's attorney.
Additionally, pursuant to HRS § 91-9.5, the commission provided
Respondent with notice of hearing via statewide publication in
newspapers of general circulation on October 28, 2008 and
November 4, 2008.
III.

Order

THE COMMISSION ORDERS:

Certificate No. 474-C is revoked, and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii  FEB 26 2009 .

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By

Carlito P. Caliboso, Chairman

By

John E. Cole, Commissioner

By

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou
Commission Counsel

2008-0212.isa
CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

AMERICAN CROWN WORLD, INC., dba
ALOHA SIGHTSEEING
581 Kahoku Street, #2106
Honolulu, HI 96826